Strikeout as indicated

sodomy by force, violence, duress, menace or threat of great bodily harm, shall be punished by imprisonment in the state prison for a period of not less than three years.

ALL IN ITALICS

(d) Any person who, while voluntarily acting in concert with another person, either personally or by aiding and abetting such other person, commits an act of sodomy by force or violence and against the will of the victim shall be punished by imprisonment in the state prison for a period of five years to life.

Sec. 9. Section 286.1 of the Penal Code is repealed.

ALL IN STRIKE-OUT

~~286.1. The provisions of Section 286 notwithstanding, in~~ any case in which defendant, voluntarily acting in concert with another person, by force or violence and against the will of the victim committed sodomy upon a human being, either personally or by aiding and abetting such other person, such fact shall be charged in the indictment or information and if found to be true by the jury, upon a jury trial, or if found to be true by the court, upon a court trial, or if admitted by the ~~defendant, defendant shall suffer confinement in the state prison from five years to life.~~

Strikeout and italic as indicated

Sec. 10. Section 287 of the Penal Code is amended to read:

287. Any sexual penetration, however slight, is sufficient to complete the crime ~~against nature~~ of sodomy.

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